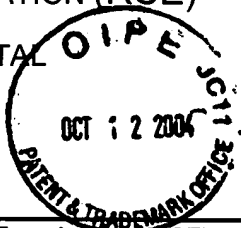


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REQUEST

FOR

CONTINUED EXAMINATION (RCE)**TRANSMITTAL**Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/604,965
Filing Date	June 28, 2000
First Named Inventor	Kirkpatrick, Mark
Group Art Unit	2655
Examiner Name	Opsasnick, Michael N.
Attorney Docket Number	190252-1810

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCE's (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously Submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the amendment(s) reply under 37 CFR 1.116 previously filed on
- ii. ☐ Other:
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other:
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required).
- b. ☐ Other:
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 20-0778.
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other:
- b. ☐ Check in the amount of \$ _____ enclosed.
- c. ☒ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print Type)	Jeffrey R. Kuester	Registration No. (Attorney/Agent)	34,367
Signature		Date	10-7-04

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Jeffrey R. Kuester
Signature	
Date	10-7-04

This collection of information is required by 37 CFR 1.114. This information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1455, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

AMENDMENT TRANSMITTAL LETTER (LARGE)

Applicant(s): Kirkpatrick, Mark

Docket No.

190252-1810

Serial No.
09/604,965

Filing Date
June 28, 2004

Examiner
Opsasnick, Michael
N.

Confirmation No.
6374

Group Art Unit
2655

Invention: **System and Method for Email Notification**

Commissioner for Patents
Mail Stop RCE
P.O. Box 1450
Alexandria VA 22313-1450

Transmitted herewith is the Sixth Response with Amendments and RCE in the above-identified application.

The fee has been calculated and is transmitted as shown below

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	40 -	46 =	0	X \$18.00	\$0
INDEP. CLAIMS	7 -	7 =	0	X 88.00	\$0
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>				\$300.00	\$0
EXTENSION FEE	1 ST MONTH <input type="checkbox"/> 120.00	2 ND MONTH <input type="checkbox"/> 430.00	3 RD MONTH <input type="checkbox"/> 980.00	4 TH MONTH <input type="checkbox"/> 1530.00	\$0
Other Fees: RCE					\$790.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$790.00

- ☐ No additional fee is required.
- ☐ Please charge Deposit Account No. _____ in the amount of _____.
- ☐ A check in the amount of _____ to cover the filing fee is enclosed. A duplicate copy of this page is enclosed.
- ☒ A Credit Card Payment Form PTO-2038 is attached in the amount of \$790.00.
- ☒ The Director is hereby authorized to charge any deficiencies of the above fees or credit any overpayment to Deposit Account No. 20-0778.


Jeffrey R. Kuester, Reg. No. 34,367


Date

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revisions.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**790.00**

Complete If Known

Application Number	09/604,965
Filing Date	June 28, 2000
First Named Inventor	Kirkpatrick
Examiner Name	Opsasnick
Group / Art Unit	2655
Attorney Docket No.	190252-1810

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account

Deposit Account Number

Deposit Account Name

20-0778

Thomas, Kayden, Horstemeyer Risley, L.L.P.

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility Filing Fee	
1002	350	2002	175	Design Filing Fee	
1003	550	2003	275	Plant Filing Fee	
1004	770	2004	385	Reissue Filing Fee	
1005	160	2005	80	Provisional Filing Fee	
SUBTOTAL (1)				(\$)	0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims	Fee From Below	Fee Paid
Total Claims	- 20**=		X 9.00	=
Independent Claims	- 3**=		X 88.00	=
Multiple Dependent			300.00	=

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple dependent claim, if not paid	
1204	88	2204	44	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)				(\$)	0

**or number previously paid, if greater; For Reissues, see above

FEES CALCULATION (continued)

3. ADDITIONAL FEES

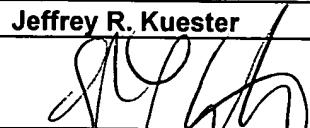
Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge-late filing fee or oath	
1052	50	2052	25	Surcharge-late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	340	2403	170	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive-unavoidable	
1453	1,370	2453	685	Petition to revive-unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee for provisional application	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each add. invention to be examined (37 CFR 1.129(b))	
1801	790	2801	385	Request for Continued Examination (RCE)	790.00
1802	900	1802	900	Request for expedited exam. of a design application	

Other fee (specify)

SUBTOTAL (3) (\$)**790.00**

*Reduced by Basic Filing Fee Paid

SUBMITTED BY

Typed or Printed Name	Jeffrey R. Kuester	Registration No.	Reg. No. 34,367	Telephone Number	770-933-9500
Signature				Date	10-7-04

WARNING: Information on this form may become public. Credit Card Information should not be included on this form. Provide credit card information and authorization on PTO-2038

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 37 USC 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)	
Mark Kirkpatrick)	
Serial No.: 09/604,965)	Group Art Unit: 2655
Filed: June 28, 2000)	Examiner: Opsasnick, Michael N.
For: System and Method for Email Notification)	Docket No.: 190252-1810
)	
)	

SIXTH RESPONSE WITH AMENDMENTS

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

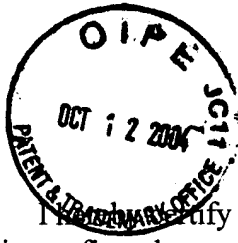
Applicant submits the following amendments and remarks to the final Office Action mailed from the United States Patent and Trademark Office on August 4, 2004 (Paper No. 17).

REQUEST FOR CONTINUED EXAMINATION

In accordance with 37 U.S.C. §1.114, a Request For Continued Examination (RCE) is filed concurrently with this response so that the Office Action mailed August 4, 2004 is effectively made non-final. Under 37 U.S.C. §1.114, the effect of the RCE, which makes the instant Office Action non-final, is to cause examination of the instant application to remain open. Accordingly, amendments and new claims submitted herein are to be entered as a matter of right, and each claim is entitled to continued examination.

AUTHORIZATION TO DEBIT ACCOUNT

It is not believed that additional fees are required, beyond those which may otherwise be provided for in the documents accompanying this paper. However, in the event that additional fees are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required therefor (including fees for net additions of claims) are hereby authorized to be charged to Deposit Account 20-0778.



CERTIFICATE OF MAILING

I hereby certify that the below listed items are being deposited with the U.S. Postal Service as first class mail in an envelope addressed to:

**Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**

on

10-7-04

Jeffrey R. Kuester

In Re Application of:

Kirkpatrick, Mark

Serial No.: 09/604,965

Filed: June 28, 2000

Confirmation No.: 6374

Group Art Unit: 2655

Examiner: Opsasnick, Michael N.

Docket No.: 190252-1810

For: System and Method for Email Notification

The following is a list of documents enclosed:

- Return Postcard
- RCE Transmittal
- Amendment Transmittal
- Fee Transmittal
- Credit Card Authorization - Authorizing \$790.00
- Sixth Response with Amendments

Further, the Commissioner is authorized to charge Deposit Account No. 20-0778 for any additional fees required. The Commissioner is requested to credit any excess fee paid to Deposit Account No. 20-0778.